

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

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CLERK THOMAS M. GOULD  
U.S. DISTRICT COURT  
W.D. OF TN, JACKSON

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
VS.	)	No. 03-10086-01-T
	)	
MICHAEL WAYNE PRICE,	)	
	)	
Defendant.	)	

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ORDER DENYING MOTION AS UNNECESSARY

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On July 28, 2005, the United States Court of Appeals for the Sixth Circuit granted the parties' joint motion for remand in this case, vacating the sentence imposed on defendant Michael Wayne Price and remanding for re-sentencing in light of United States v. Booker, 125 S. Ct. 738 (2005). The defendant, through counsel, filed a motion on August 1, 2005, asking the Court to set a re-sentencing hearing and to have defendant transported from his current place of incarceration.

The Court will automatically set a re-sentencing hearing and arrange for the defendant's transportation to that hearing without the need for a motion. Therefore, the defendant's motion is DENIED as unnecessary.

IT IS SO ORDERED.

James D. Todd  
JAMES D. TODD  
UNITED STATES DISTRICT JUDGE  
3 August 2005  
DATE



## Notice of Distribution

This notice confirms a copy of the document docketed as number 116 in case 1:03-CR-10086 was distributed by fax, mail, or direct printing on August 4, 2005 to the parties listed.

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Honorable James Todd  
US DISTRICT COURT